

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

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|-----------------------|---|------------------------------|
| PUBLIC INTEREST LEGAL |) | |
| FOUNDATION, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | Docket no. 1:20-cv-00061-GZS |
| v. |) | |
| |) | |
| SHENNA BELLOWS, |) | |
| |) | |
| |) | |
| Defendant. |) | |

PROCEDURAL ORDER & REPORT OF CONFERENCE

On August 30, 2021, the Court held a telephonic status conference to discuss Defendant's June 24, 2021 Correspondence (ECF No. 47) and its potential impact on the parties' Cross-Motions for Summary Judgment (ECF Nos. 35 & 40). Attorneys Noel Johnson, Kaylan Phillips, and Stephen Whiting appeared for Plaintiff. Assistant Attorney General Jonathan Bolton appeared for Defendant.

As outlined in Defendant's Correspondence, Maine has recently enacted a revision of 21-A M.R.S.A. § 196-A, which Defendant asserts will moot the present dispute. Notably, this revision is now slated to take effect on October 18, 2021. See Me. Const. art. IV, pt. 3, § 16 (providing that legislation takes effect ninety days after the state legislature recesses). At the conference, Plaintiff's counsel did not agree that their claims will become moot as of October 18, 2021. Instead, Plaintiff's counsel claimed that Maine's revised statute will continue to violate the public disclosure requirement of the National Voter Registration Act of 1993 ("NVRA"), 52 U.S.C. § 20507(i). Thus, Plaintiff's counsel maintained that its pending requests for declaratory and injunctive relief will remain and no amended pleading is necessary, despite the changed

statutory landscape. Defendant's counsel disagreed, stating that the new law will grant the relief Plaintiff originally requested and thus that Plaintiff must allege harms under the new law via an amended complaint.

In light of the imminent revision of the applicable statute underlying this matter and the parties' apparent disagreement over the impact of that revision, the Court hereby RESERVES RULING on the pending Cross-Motions for Summary Judgment (ECF Nos. 35 & 40). Should the new law enter into force unchanged from its current form, Plaintiff may file a motion for leave to amend its Complaint no later than November 1, 2021. See Fed. R. Civ. P. 15(a)(2) & (d). Any such motion shall attach a proposed amended complaint. If Plaintiff does not move to amend by this deadline, the Court anticipates Defendant will articulate the mootness arguments outlined in her earlier Correspondence in an appropriate motion. In the absence of any further motions or other relevant filings, the Court anticipates that it will place the pending Cross-Motions for Summary Judgment back under advisement on November 1, 2021.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 31st day of August, 2021.